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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91237315
Party	Plaintiff American Marriage Ministries
Correspondence Address	NANCY V STEPHENS FOSTER GARVEY PC 1111 3RD AVENUE SUITE 3200 SEATTLE, WA 98101-3299 UNITED STATES Primary Email: nancy.stephens@foster.com 206-447-4400
Submission	Plaintiff's Notice of Reliance
Filer's Name	Nancy V. Stephens
Filer's email	nancy.stephens@foster.com
Signature	/Nancy V. Stephens/
Date	04/27/2021
Attachments	Opposers Supplemental Notice of Reliance.pdf(144461 bytes) Opposers Cross Reference of Notice of Reliance Exhibits.pdf(223181 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

AMERICAN MARRIAGE MINISTRIES,)	Opposition No. 91237315
)	
Opposer,)	Marks: GET ORDAINED
)	Application No. 87430729
v.)	
)	
UNIVERSAL LIFE CHURCH)	
MONASTERY STOREHOUSE, INC.)	
)	Filed: April 28, 2021
Applicant.)	

OPPOSER’S SUPPLEMENTAL NOTICE OF RELIANCE

Pursuant to 37 C.F.R. §§ 2.122 and 77 TTABVUE 10-11, Opposer American Marriage Ministries hereby gives notice to Applicant Universal Life Church Monastery Storehouse, Inc. that, in addition to those materials identified in its first Notice of Reliance (39-43 TTABVUE, subject to corrections identified at 44 TTABVUE 2-3), Opposer additionally offers and intends to rely upon the following materials:

A. A true and correct excerpt of the January 18, 2019 Deposition of Dallas Goschie, which was previously submitted as part of the now-stricken Exhibit I to Opposer’s Notice of Reliance. Such evidence is relevant as evidence of functional (non-trademark) use of “get ordained” and evidence of the public view of the term “get ordained.” Such evidence is associated the issue of lack of inherent distinctiveness, lack of acquired distinctiveness, no exclusivity of use, the relevant public’s understanding of the term “get ordained,” failure of the term “get ordained” to function as a trademark or source identifier for relevant services, descriptive use of “get ordained,” and generic use of “get ordained.” (Exhibit U)

B. A true and correct excerpt of January 16, 2019 Deposition of George Freeman, which was previously submitted as part of the now-stricken Exhibit I to Opposer’s Notice of Reliance. Such evidence is relevant as evidence of functional (non-trademark) use of “get

ordained” and evidence of the public view of the term “get ordained.” Such evidence is associated the issue of lack of inherent distinctiveness, lack of acquired distinctiveness, no exclusivity of use, the relevant public’s understanding of the term “get ordained,” failure of the term “get ordained” to function as a trademark or source identifier for relevant services, descriptive use of “get ordained,” and generic use of “get ordained.” ____ (Exhibit V)

C. A true and correct copy of the American Heritage Dictionary definitions of “get” and “ordained,” which were previously submitted as part of the now-stricken Exhibit I to Opposer’s Notice of Reliance. Such evidence is relevant as evidence of meaning of word and descriptive nature of phrase. Such evidence is associated with the issue of failure of the mark to function as a trademark, descriptive use of the term “get ordained,” generic use of the term “get ordained” and damage to Opposer. (Exhibit W)

D. A true and correct and self-authenticating copy of Opposer’s website’s homepage, www.theamm.org, as it appeared on November 18, 2019, a copy of which was previously submitted as part of now-stricken Exhibit K to Opposer’s Notice of Reliance. Such evidence is relevant as evidence of Opposer’s competitive need to use the term “get ordained,” Opposer’s functional or non-trademark use of term “get ordained” as a “call to action” to prompt visitors to get ordained, evidence of the public view of the term “get ordained.” Such evidence is associated with the issue of inherent distinctiveness, significance of term to the average purchaser of online ordination services, failure of the term “get ordained” to function as a trademark or source identifier for relevant services, descriptive use of “get ordained,” generic use of “get ordained,” and damage to the Opposer.(Exhibit X)

E. A true and correct copy of Applicant’s Supplemental Objections and Responses to Opposer’s First Set of Requests for Production dated November 14, 2018, which was previously submitted as part of the now-stricken Exhibit K to Opposer’s Notice of Reliance. Such evidence is relevant as evidence of Applicant’s knowledge and evidence, or lack thereof, regarding use of “get ordained” by Opposer and third parties and of the public view of the term “get ordained.”

Such evidence is also relevant as evidence of Applicant's manner of use of the term "get ordained." Such evidence is associated with the issue of lack of inherent distinctiveness, lack of acquired distinctiveness, no exclusivity of use, the relevant public's understanding of the term "get ordained," failure of the term "get ordained" to function as a trademark or source identifier for relevant services, descriptive use of "get ordained," generic use of "get ordained," and damage to the Opposer. (Exhibit Y)

Dated: April 28, 2021.

/Nancy V. Stephens/
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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2021, I served the foregoing Opposer's Supplemental Notice of Reliance on the Applicant by emailing to Applicant as follows:

Michael P. Matesky, II
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mike@mateskylaw.com

_____/Renee Stewart/

Renee Stewart

AMERICAN MARRIAGE MINISTRIES,)	Opposition No. 91237315
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Pursuant to 77 TTABVUE 10-11, Opposer American Marriage Ministries hereby submits the following cross-reference identifying the record location of each of the exhibits identified in its First Notice of Reliance (__, as corrected by its Notice of Errata, __) and Supplemental Notice of Reliance (__):

FG:53799796.2 [208585.4]

Bates Numbers AMM NOR	Exhibit	Title / Description	TTABVUE #
		Ordained” by Third Parties	
00589 – 00600	E	Websites showing use of “Get Ordained” by AMM	43 TTABVUE 47-58
00601 - 00625	F	Websites showing use of “Get Ordained” by ULC	43 TTABVUE 59-83
00626 - 00674	G	Opposer’s First Set of Interrogatories to Applicant, Applicant’s Responses to Opposer’s First Set of Interrogatories, Applicant’s Supplemental Responses to Opposer’s First Set of Interrogatories	43 TTABVUE 84-132
00675 - 00686	H	Opposer’s First Set of Requests for Admissions, Applicant’s Responses to Opposer’s First Set of Requests for Admissions	43 TTABVUE 133-144
00687—00792 —	I	Applicant’s Motion for Partial Summary Judgment on the Pleadings, with Declarations and Exhibits FILED IN ERROR – PLEASE DISREGARD	42 TTABVUE
01069—01170	I	Opposer’s Motion for Partial Summary Judgment, with Declarations and Exhibits STRICKEN AND REPLACED BY NEW SUBMISSION – PLEASE DISREGARD AND SEE INSTEAD EXHIBITS U, V, W	45 TTABVUE
00783—00806	J	Opposer’s Reply in Response in Support of Its Motion for Partial Summary Judgment STRICKEN AND WITHDRAWN – PLEASE DISREGARD	43 TTABVUE 145-158
00807—00959	K	Declaration and Exhibits in support of Opposer’s Reply to Applicant’s Opposition to Opposer’s Motion for Partial Summary Judgment STRICKEN AND REPLACED BY NEW SUBMISSION – PLEASE DISREGARD AND SEE INSTEAD EXHIBITS X, Y	43 TTABVUE 159-311
00960 – 00962	L	Washington Post Article, <i>A Turning Point on the Road to Priesthood</i>	43 TTABVUE 312-314

Bates Numbers AMM NOR	Exhibit	Title / Description	TTABVUE #
00963 -- 00968	M	Article by Spencely – <i>Enabling Church – My Talk</i>	43 TTABVUE 315-320
00969 – 00980	N	Article by Olivia Aylmer – <i>Is This Appropriate?</i>	43 TTABVUE 321-332
00981 – 00982	O	PEACEBAND – <i>Shirt and Collar Different Sizes</i>	43 TTABVUE 333-334
00983 – 00984	P	<i>Wedding Ceremony: How Can Our Friend Get Ordained for Our Wedding</i> , www.theknot.com	43 TTABVUE 335-336
00985 – 0994	Q	<i>How to Get Ordained to Marry – Everything You Need to Know –</i> www.everafterguide.com	43 TTABVUE 337-346
00995 – 00996	R	Excerpt from <i>Understanding the Consecrated Life</i>	43 TTABVUE 347-348
00997 – 01001	S	<i>5 Things to Consider When Choosing a Student Ministry Position –</i> www.capstoneliving.org	43 TTABVUE 349-353
01002 – 01007	T	<i>A Quick How to Get Ordained Guide in 3 Simple Steps –</i> www.openministry.com	43 TTABVUE 354-359
01164 - 01169	U	Excerpt of January 18, 2019 Deposition of Dallas Goschie	TBD
01118 - 01129	V	Excerpt of January 16, 2019 Deposition of George Freeman	TBD
01157 - 01162	W	American Heritage Dictionary Definition of “Get” and “Ordain”	TBD
00875 - 00887	X	Printout of Opposer’s Website www.theamm.org as captured on November 18, 2019	TBD
00953 - 00959	Y	Applicant’s Supplemental Objections and Responses to Opposer’s First Set of Requests for Production	TBD

Dated: April 28, 2021.

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